



Journal of the House

State of Indiana

115th General Assembly

First Regular Session

Fourteenth Meeting Day

Tuesday Afternoon

February 6, 2007

The House convened at 1:30 p.m. with Speaker B. Patrick Bauer in the Chair.

The Speaker stated, "Having conferred with the Attorney General and no objection raised, the temporary House policy while the prayer lawsuit is pending in the courts will be a scripted prayer."

The Speaker read a prayer for guidance and insight (printed January 8, 2007).

The Pledge of Allegiance to the Flag was led by Representative Richard A. Dodge.

The Speaker ordered the roll of the House to be called:

Austin	Gutwein
Avery	E. Harris
Bardon	T. Harris
Battles	Herrell
Behning	Hinkle
Bell	Hoy
Bischoff	Kersey
Borders	Klinker
Borror	Knollman
Bosma	Koch
C. Brown	Kuzman
T. Brown	L. Lawson
Buck	Lehe
Buell	Leonard
Burton	Lutz
Candelaria Reardon ☐	Mays
Cheatham	McClain
Cheney	Micon
Cherry	Moses
Cochran	Murphy
Crawford	Neese ☐
Crooks	Niezgodski
Crouch	Noe
Davis	Orentlicher
Day	Oxley
Dembowski	Pelath
Denbo	Pflum
Dermody	Pierce
Dickinson	Pond
Dobis	Porter
Dodge	Reske
Duncan	Richardson
Dvorak	Ripley
Eberhart	Robertson
Elrod	Ruppel
Espich	Saunders
Foley	M. Smith
Friend	V. Smith
Frizzell	Soliday
Fry	Stemler
GiaQuinta	Stevenson
Goodin	Stilwell
Grubb	Stutzman

Summers
Thomas
Thompson
Tincher
Torr
Turner ☐
Tyler

Ulmer
VanHaaften
Walorski
Welch
Whetstone
Wolkins
Mr. Speaker

Roll Call 48: 97 present; 3 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Wednesday, February 7, 2007, at 1:30 p.m.

GIA QUINTA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1234, assigned to the House Committee on Commerce, Energy and Utilities, be withdrawn from further consideration by the House of Representatives.

STEVENSON

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Joint Resolution 5 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolution 8 and the same is herewith returned to the House.

MARY C. MENDEL
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 13 and 14 and the same are herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 11

Representative V. Smith introduced House Concurrent Resolution 11:

A CONCURRENT RESOLUTION urging Congress to adopt

a joint resolution proposing an amendment to the Constitution of the United States regarding the right to vote.

Whereas, The right to vote is the cornerstone of any democracy;

Whereas, Voting allows all citizens to be involved in their government, and government derives its power from the consent of the governed;

Whereas, All citizens of the United States at least eighteen years of age should, therefore, have the right to vote in any public election held in the jurisdiction in which they reside; and

Whereas, The right to vote must never be denied or diminished by anyone, except to establish regulations designed to produce efficient and honest elections: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly urges Congress to adopt a joint resolution proposing an amendment to the Constitution of the United States regarding the right to vote.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Indiana Congressional delegation.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Concurrent Resolution 12

Representative V. Smith introduced House Concurrent Resolution 12:

A CONCURRENT RESOLUTION urging Congress to adopt a resolution to amend the Constitution of the United State to abolish the Electoral College.

Whereas, Current law provides for the statewide election of delegates to vote for President and Vice President in the Electoral College;

Whereas, Each political party selects its delegation in accordance with statutory procedures established by the party;

Whereas, Under current law, the Electoral College can cause the votes of the citizens of one state to weigh more heavily than the votes of the citizens of other states;

Whereas, The President and Vice President of the United States must be chosen by citizen voters and each vote should be counted equally, reflecting the method used to fill every elective office in our country;

Whereas, In a democracy, people must have faith in the system that elects their highest officials and know that each vote counts equally; and

Whereas, Critics of the Electoral College have long felt that it is an archaic and undemocratic system that can prevent the will of a majority of the people from being heard: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly urges Congress to adopt a resolution to amend the United State Constitution to abolish the Electoral College.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Indiana Congressional delegation.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Concurrent Resolution 13

Representative Cheatham introduced House Concurrent

Resolution 13:

A CONCURRENT RESOLUTION urging the establishment of an interim study committee on education issues.

Whereas, The need for a legislative study of education issues is great, and the legislative council should establish a committee to study those issues;

Whereas, The committee, if established, should study the creation of alternative schools having the flexibility to deal with the problem of high school dropouts and enabling more students to stay in school; and

Whereas, The committee should also consider the need for and the value of an international high school in southern Indiana to train students for international business careers: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the legislative council is urged to establish a committee to study education issues.

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council and that the committee shall issue a final report when directed to do so by the council.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Concurrent Resolution 14

Representatives Koch, Saunders, and Buck introduced House Concurrent Resolution 14:

A CONCURRENT RESOLUTION recognizing Ronald Reagan..

Whereas, President Ronald Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good, having been employed as an entertainer, a union leader, a corporate spokesman, the Governor of California, and the President of the United States;

Whereas, Ronald Reagan served with honor and distinction for two terms as the U.S. President;

Whereas, In the election for his second term, Ronald Reagan earned the confidence of 3/5 of the electorate and was victorious in 49 of the 50 states in the general election, a record unsurpassed in the history of American presidential elections;

Whereas, When Ronald Reagan was elected in 1981, he inherited a disillusioned nation shackled by rampant inflation and high unemployment;

Whereas, During Ronald Reagan's presidency, he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government, which led to unprecedented economic expansion and opportunity for millions of Americans;

Whereas, Ronald Reagan's commitment to an active social policy agenda for the nation's children helped lower crime and drug use in the country's neighborhoods;

Whereas, Ronald Reagan's commitment to U.S. armed forces helped restore pride in America and its values and those cherished by the free world and prepared America's armed forces to meet the challenges of the 21st century;

Whereas, Ronald Reagan's vision of "peace through strength" led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people; and

Whereas, February 6, 2007, will mark the 96th anniversary of Ronald Reagan's birth: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly urges the citizens of Indiana to honor Ronald Reagan as a man who worked for freedom and the public good throughout his life.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Governor Mitch Daniels.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Steele.

House Resolution 7

Representative V. Smith introduced House Resolution 7:

A HOUSE RESOLUTION urging the establishment of an interim study committee on food service in prisons.

Whereas, In order to ensure that the caloric intake of the prison population and the nutritional value of food provided to the prison population are adequate, and to ensure that the cost of providing food to the prison population is reasonable, a committee should further investigate these issues: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to establish a committee to study food service in prisons.

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council and that the committee shall issue a final report when directed to do so by the council.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Resolution 8

Representative V. Smith introduced House Resolution 8:

A HOUSE RESOLUTION urging the establishment of an interim study committee to study the effects of the incarceration of criminal offenders on children, families, communities, and the economy.

Whereas, Criminal offenders are returning home from prison in increasing numbers, unprepared for reintegration into society, less connected to community based social structures, more likely to have health or substance abuse problems, and facing limited availability of jobs, housing, and social services: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to establish a committee to study the effects of the incarceration of criminal offenders on children, families, communities, and the economy.

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council and shall issue a final report when directed to do so by the council.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

House Resolution 9

Representative V. Smith introduced House Resolution 9:

A HOUSE RESOLUTION urging the establishment of an interim study committee to study higher education for incarcerated persons.

Whereas, A disproportionate number of persons incarcerated today came from economically depressed communities and were poorly educated, functionally illiterate, and unemployed before

incarceration; and

Whereas, Studies have shown that participation by inmates in college education programs reduces recidivism, creates a better managed prison environment, positively affects the lives of prisoners and their families, and is a cost-effective public policy, saving tax dollars by reducing the number of repeat offenders and the need for prison space: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to establish a committee to study higher education for incarcerated persons.

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council and that the committee shall issue a final report when directed to do so by the council.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

Senate Concurrent Resolution 13

The Speaker handed down Senate Concurrent Resolution 13, sponsored by Representatives Torr and Buck:

A CONCURRENT RESOLUTION to honor Marjorie Ann Ramey as a recipient of the 2006 Milken National Educator Award.

Whereas, Marjorie Ann Ramey has been a teacher at Carey Ridge Elementary School for the last 8 years, and has served the varied interests of education for the last 19 years;

Whereas, Mrs. Ramey has strived to make math a meaningful experience for her fourth grade students through the use of song and dance;

Whereas, In addition to incorporating music into her enthusiastic lesson plan, Mrs. Ramey has also tapped into Indiana's famous love of basketball to make math lessons an interesting academic endeavor;

Whereas, The Milken National Educator Award honors and rewards exemplary K-12 educators for their quality of teaching, professional leadership, engagement with families and the community, and for their potential for even greater contributions to the healthy and unbounded development of our nation's youth;

Whereas, Mrs. Ramey's creative approach to education has given her students a most memorable educational experience; and

Whereas, Mrs. Ramey's extraordinary efforts and dedication to the teaching profession deserve special recognition and serve as an inspiration to us all: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes and honors the dedication and creativity of Marjorie Ann Ramey and congratulates her on receiving the Milken National Educator Award.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Dr. Mark Keen, Superintendent of Westfield Washington Schools; Susan Hobson, Principal of Carey Ridge Elementary School; and Marjorie Ann Ramey.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 14

The Speaker handed down Senate Concurrent Resolution 14, sponsored by Representatives Buck and Torr:

A CONCURRENT RESOLUTION honoring Dr. Mark Keen on being named the 2006 Indiana Superintendent of the Year.

Whereas, Dr. Mark Keen graduated from Westminster College in 1969, earned a M. Ed. from the University of Missouri - St. Louis in 1976, and received his Ed. D. from the University of Missouri - Columbia in 1981;

Whereas, upon completion of his Ed. D., Dr. Keen served as Assistant Superintendent, then Superintendent, of the St. Charles School District before accepting the job of Superintendent of Westfield Washington Schools in 1997;

Whereas, under Dr. Keen's innovative leadership, Westfield Washington Schools has established community partnerships and utilized technology to improve the quality of instruction and communication;

Whereas, Dr. Keen helped found and is past president of the Coalition of Growing and Suburban Schools which communicates the unique and complex issues facing growing school districts to legislative bodies and the local community;

Whereas, Dr. Keen also currently serves on the American Association of School Administrators Governing Board, its Executive Committee and Federal Legislative Committee; and

Whereas, Dr. Mark Keen's dedication to preparing Westfield Washington students to work in the new Indiana economy helped earn him the 2006 Indiana Superintendent of the Year, awarded by the Indiana Association of Public School Superintendents: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes and congratulates Dr. Mark Keen as the recipient of the 2006 Indiana Superintendent of the Year.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Tenna Pershing, Director of Community Relations at Westfield Washington Schools and to Superintendent Dr. Mark Keen.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1038, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 11, nays 0.

HOY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1044, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 11, nays 1.

AUSTIN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1060, has had the same under consideration and begs leave to report the same back to the

House with the recommendation that said bill do pass.

Committee Vote: yeas 21, nays 0.

CRAWFORD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1128, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 17, reset in roman "five (5) members, but not less than".

Page 3, line 18, reset in roman "present".

Page 3, line 18, delete "required to establish a quorum" and insert ",".

(Reference is to HB 1128 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

HOY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1157, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 28, delete "developed by the department of labor".

(Reference is to HB 1157 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 6, nays 5.

CHENEY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1255, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 11, nays 0.

V. SMITH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1379, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 8, nays 2.

V. SMITH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1410, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 5, delete "seven (7)" and insert "**ten (10)**".

Page 2, line 12, after "(d)" insert "**The results of a criminal history background check, as described in subsection (c), may include only:**

- (1) criminal history data with disposition information; and
 (2) information with respect to any arrest or criminal charge that occurred less than one (1) year before the date the background check was initiated even if a disposition concerning the arrest or criminal charge has not been entered.

(e)".

Page 2, line 16, delete "(e)" and insert "(f)".

Page 3, line 33, delete "(f)" and insert "(g)".

Page 3, line 34, after "section" insert ",".

Page 3, line 34, delete "or a criminal history background check described".

Page 3, line 35, delete "under subsection (c),".

Page 3, delete line 36.

Page 3, line 37, delete "corporation,".

Page 3, line 37, delete "or" and insert ". The school corporation is responsible for all costs associated with obtaining a criminal history background check as described under subsection (c).".

Page 3, delete line 38.

Page 3, line 39, delete "(g)" and insert "(h)".

(Reference is to HB 1410 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

HOY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1483, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 6, strike "class" and insert "level".

Page 2, line 13, delete "divided" and insert "divided, where applicable,".

Page 2, line 14, strike "three (3) classes:" and insert "two (2) skill levels:".

Page 2, line 15, delete "labor." and insert "labor, including journeymen.".

Page 2, line 16, strike "Semiskilled labor." and insert "Apprentice labor.".

Page 2, strike line 17.

Page 2, line 18, strike "classes." and insert "skill levels.".

Page 2, line 23, strike "three (3)".

Page 2, line 24, strike "classes of wages" and insert "two (2) skill levels".

Page 2, line 26, strike "(e)".

Page 2, line 28, strike "IC 8-23-9 applies to state highway".

Page 2, strike line 29.

Page 2, line 30, strike "(f)" and insert "(e)".

Page 2, line 35, strike "(g)" and insert "(f)".

Page 2, line 37, strike "(f)," and insert "(e),".

Page 2, line 39, strike "(h)" and insert "(g)".

Page 3, line 1, strike "(i)" and insert "(h)".

Page 3, line 7, strike "(j)" and insert "(i)".

Page 3, line 12, strike "(k)" and insert "(j)".

Page 3, line 14, delete "If the commissioner determines".

Page 3, line 15, delete "that an" and insert "An".

Page 3, line 15, delete "has divided" and insert "may not divide".

Page 3, line 16, after "project" delete ", the" and insert ".".

Page 3, delete line 17.

Page 3, line 18, delete "chapter.".

Page 3, line 18, delete "making a determination" and insert "determining".

Page 3, line 18, delete "an awarding agency".

Page 3, line 19, delete "has divided".

Page 3, line 19, delete "to avoid the application of this".

Page 3, line 20, delete "chapter to the public work project, the commissioner" and insert "violates this subsection, the awarding agency".

Page 3, line 28, delete "(l)" and insert "(k)".

Page 3, delete lines 39 through 42.

Delete page 4.

Page 5, delete lines 1 through 23.

Page 5, between lines 26 and 27, begin a new line block indented and insert:

(1) "Apprentice" means a person:

(A) employed and registered in a bona fide apprenticeship program registered with the United States Department of Labor, Employment and Training Administration, Bureau of Apprenticeship and Training; or

(B) employed in the first ninety (90) days of probationary employment as an apprentice in an apprenticeship program, who is not individually registered in the program, but who has been certified by the Bureau of Apprenticeship and Training as eligible for probationary employment as an apprentice."

Page 5, line 27, delete "(1)" and insert "(2)".

Page 5, line 29, delete "(2)" and insert "(3)".

Page 5, line 30, strike "class" and insert "level".

Page 5, line 39, delete "(3)" and insert "(4)".

Page 6, delete lines 1 through 17.

Page 11, delete lines 4 through 42.

Page 12, delete lines 1 through 2.

Page 12, line 3, delete "IC 5-16-7-9" and insert "IC 5-16-7-8".

Page 12, line 5, delete "Sec. 9." and insert "Sec. 8.".

Page 13, line 5, delete "IC 5-16-7-10" and insert "IC 5-16-7-9".

Page 13, line 7, delete "Sec. 10." and insert "Sec. 9.".

Page 13, line 36, delete "IC 5-16-7-11" and insert "IC 5-16-7-10".

Page 13, line 38, delete "Sec. 11." and insert "Sec. 10".

Page 14, line 7, delete "IC 5-16-7-12" and insert "IC 5-16-7-11".

Page 14, line 9, delete "Sec. 12." and insert "Sec. 11.".

Page 14, line 15, delete "IC 6-16-7-13" and insert "IC 5-16-7-12".

Page 14, line 17, delete "Sec. 13." and insert "Sec. 12.".

Page 14, line 31, delete "IC 5-16-7-14" and insert "IC 5-16-7-13".

Page 14, line 33, delete "Sec. 14." and insert "Sec. 13.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1483 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 6, nays 5.

CHENEY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1513, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 8, nays 4.

V. SMITH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Energy and Utilities, to which was referred House Bill 1738, has had the

same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.
Committee Vote: yeas 9, nays 2.

CROOKS, Chair

Report adopted.

HOUSE BILLS ON SECOND READING

House Bill 1017

Representative Pelath called down House Bill 1017 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1017-1)

Mr. Speaker: I move that House Bill 1017 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 13-11-2-35.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 35.5. "Community water system", for purposes of IC 13-18-20.5, means a public water system:

(1) that:

- (A) serves at least fifteen (15) service connections used by year-round residents; or
- (B) regularly serves at least twenty-five (25) year-round residents; and

(2) in which:

- (A) all the service connections are located on the same parcel of real estate; or
- (B) all the components of the system are connected."

Renumber all SECTIONS consecutively.

(Reference is to HB 1017 as printed February 2, 2007.)

WOLKINS

Motion prevailed. The bill was ordered engrossed.

House Bill 1037

Representative Micon called down House Bill 1037 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1082

Representative Micon called down House Bill 1082 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1146

Representative Bischoff called down House Bill 1146 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1195

Representative Crawford called down House Bill 1195 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1262

Representative Pelath called down House Bill 1262 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1262-1)

Mr. Speaker: I move that House Bill 1262 be amended to read as follows:

Page 13, delete lines 27 through 34, begin a new paragraph and insert:

"SECTION 22. IC 9-14-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) The

governor shall appoint a commissioner to administer the bureau. The commissioner serves at the pleasure of the governor. Subject to IC 4-12-1-13, the governor shall fix the salary of the commissioner at the time of appointment. **This subsection expires January 1, 2011.**

(b) After December 31, 2010, the secretary of state, by virtue of office, is the commissioner of the bureau of motor vehicles. The secretary of state, as commissioner, shall administer the bureau."

Renumber all SECTIONS consecutively.

(Reference is to HB 1262 as printed February 2, 2007.)

BUCK

Upon request of Representatives Buck and Friend, the Speaker ordered the roll of the House to be called. Roll Call 49: yeas 47, nays 50. Motion failed. The bill was ordered engrossed.

House Bill 1264

Representative Avery called down House Bill 1264 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1281

Representative Koch called down House Bill 1281 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Representative Neese, who had been excused, was present.

House Bill 1291

Representative VanHaaften called down House Bill 1291 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1300

Representative Porter called down House Bill 1300 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1327

Representative Saunders called down House Bill 1327 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1327-1)

Mr. Speaker: I move that House Bill 1327 be amended to read as follows:

Page 2, between lines 29 and 30 begin a new paragraph and insert:

"SECTION 4. IC 9-18-12-1, AS AMENDED BY P.L.79-2006, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2008]: Sec. 1. (a) An antique motor vehicle must be registered annually.

(b) The bureau may adopt a:

- (1) registration form; and
- (2) certificate of registration;

to implement this chapter.

(c) After December 31, 2007, a person who:

- (1) registers an antique motor vehicle under this chapter; and
- (2) wishes to display on the antique motor vehicle an authentic license plate from the model year of the antique motor vehicle under section 2.5 of this chapter;

must pay the required fee under IC 9-29-5-32.5.

(d) An antique motor vehicle registered under this chapter:

- (1) may not be used for general transportation; and**
- (2) may only be used for participation in:**
 - (A) club activities;**

- (B) exhibitions;
- (C) tours or rallies;
- (D) parades; and
- (E) other related activities.

SECTION 5. IC 9-18-12-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2008]: Sec. 7. (a) A person who violates this chapter commits a Class C infraction.

(b) A person who violates section 1(d) of this chapter shall:

- (1) forfeit the registration issued under this chapter for the antique motor vehicle;
- (2) register the antique motor vehicle under IC 9-18-2; and
- (3) pay the taxes, if any, due on the antique motor vehicle under IC 6-3.5-4 or IC 6-3.5-5.

(c) A person who violates section 1(d) of this chapter may not apply to register the antique motor vehicle under this chapter in the five (5) registration years that follow the year in which the violation occurs."

Page 2, after line 34, begin a new paragraph and insert:

"SECTION 7. [EFFECTIVE JANUARY 1, 2008] IC 9-18-12-1 and IC 9-18-12-7, both as amended by this act, apply to registration years beginning after December 31, 2007."

Renumber all SECTIONS consecutively.

(Reference is to HB 1327 as printed February 2, 2007.)

SAUNDERS

Motion prevailed. The bill was ordered engrossed.

House Bill 1678

Representative C. Brown called down House Bill 1678 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1678-1)

Mr. Speaker: I move that House Bill 1678 be amended to read as follows:

Page 1, delete lines 7 through 11.

Page 1, line 14, delete "As used in this section, "health care services"" and insert "**This section does not apply to a hospital that provides only long term care services.**"

(b) A hospital licensed under this chapter must contain an emergency medical service facility."

Page 1, delete lines 15 through 17.

Delete page 2.

Renumber all SECTIONS consecutively.

(Reference is to HB 1678 as printed January 31, 2007.)

C. BROWN

Motion prevailed. The bill was ordered engrossed.

House Bill 1349

Representative Welch called down House Bill 1349 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1486

Representative Thomas called down House Bill 1486 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1508

Representative Koch called down House Bill 1508 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1565

Representative Crawford called down House Bill 1565 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1578

Representative Battles called down House Bill 1578 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1723

Representative Robertson called down House Bill 1723 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1723-1)

Mr. Speaker: I move that House Bill 1723 be amended to read as follows:

Page 1, between lines 13 and 14, begin a new line blocked left and insert:

"Nothing in this subsection precludes a school corporation from using a temporary teacher's contract for other reasons not listed in this subsection."

(Reference is to HB 1723 as printed February 2, 2007.)

THOMPSON

Motion prevailed. The bill was ordered engrossed.

House Bill 1339

Representative C. Brown called down House Bill 1339 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1232

Representative Moses called down Engrossed House Bill 1232 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 50: yeas 93, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators M. Young, Kruse, and Deig.

Engrossed House Bill 1243

Representative Mays called down Engrossed House Bill 1243 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 51: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Landske.

Engrossed House Bill 1425

Representative Austin called down Engrossed House Bill 1425 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 52: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the

act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Wyss and Simpson.

OTHER BUSINESS ON THE SPEAKER'S TABLE

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 24 and the same is herewith transmitted to the House for further action.

MARY C. MENDEL
Principal Secretary of the Senate

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 24

The Speaker handed down Senate Concurrent Resolution 24, sponsored by Representatives Fry and Walorski:

A CONCURRENT RESOLUTION congratulating Lester J. Fox on his retirement.

Whereas, Lester J. Fox has been an exemplary citizen, employee and public servant;

Whereas, Mr. Fox was employed by the Studebaker Corporation from 1944 until the plant closed in 1963, and served as chairman of the bargaining committee and as vice president of Local #5 of the United Auto Workers;

Whereas, Mr. Fox then served as a director of Project Able and Deputy Director of the Office of Economic Opportunity in Atlanta, Georgia;

Whereas, Mr. Fox returned to South Bend in 1966 to establish and direct the Resources for Enriching Adult Living Services (REAL Services). His responsibilities as President and CEO were to develop and implement a network of service programs for the older adult and low income population in a six county area in northern Indiana;

Whereas, Mr. Fox also has served on the Advisory Council of the Indiana Commission on Aging and Aged, as a program consultant to the U.S. Department of Labor, and as a member of the Technical Committee for the White House Conferences on Aging;

Whereas, Mr. Fox has been a recipient of Sagamore of the Wabash awards, was inducted into the South Bend Community Hall of Fame, and is a revered community leader; and

Whereas, Lester J. Fox's lifetime of service is worthy of recognition and congratulations on his retirement: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the General Assembly of Indiana honors Lester J. Fox for his service and congratulates him on his retirement.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Lester J. Fox.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bills 1044, 1250, 1255, and 1513 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives Fry and Koch be added as coauthors of House Bill 1082.

MICON

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Whetstone be added as coauthor of House Bill 1096.

TYLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Buck be added as coauthor of House Bill 1204.

PELATH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Koch be added as coauthor of House Bill 1210.

VAN HAAFTEN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representative Crouch be added as coauthor of House Bill 1242.

MAYS

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives Klinker, Day, Summers, Walorski and E. Harris be added as coauthors of House Bill 1264.

AVERY

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives Klinker and Bardon be added as coauthors of House Bill 1266.

AVERY

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Niezgodski be added as coauthor of House Bill 1308.

CHEATHAM

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Stevenson be removed as author of House Bill 1392, Representative VanHaaften be substituted as author, and Representative Stevenson be added as coauthor.

STEVENSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 106.1 be suspended for the purpose of adding more than three coauthors and that Representatives Pierce, Friend, Gutwein, Lehe, Lutz, Walorski, Buell, and Hinkle be added as coauthors of House Bill 1486.

THOMAS

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Mays be added as coauthor of House Bill 1564.

CRAWFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Buell be added as coauthor of House Bill 1735.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Crooks be added as coauthor of House Bill 1738.

WELCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Whetstone be added as coauthor of House Bill 1777.

SUMMERS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Whetstone be added as coauthor of House Bill 1779.

SUMMERS

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Crouch, the House adjourned at 2:35 p.m., this sixth day of February, 2007, until Wednesday, February 7, 2007, at 1:30 p.m.

B. PATRICK BAUER

Speaker of the House of Representatives

CLINTON McKAY

Principal Clerk of the House of Representatives